

Dr. Myron Berney, ND, L.Ac.
908 16th Ave.
Honolulu, Hi 96816

(808) 735-5133

Hawaiian Affairs, Reconciliation, Restitution, Sovereignty, Indian Status

Dept. of Interior
Mr. M. John Berry
Assistant Sec. Of Policy Management and Budget
Interior Bldg, Rm 6130
Washington, DC 20240

Phone: 202-208-3100

Senate Indian Affairs, Sen. Bennighthorse Campbell
838 Hart Bldg.
Washington, DC
20510-6450

Dear Sirs:

Recently there have been public meetings held in Hawaii with the State Legislative members and DoJ Interior and Indian affairs. It is not clear to me that there has been representation or advocacy for persons of non-Hawaiian Ancestry at these "public meetings". In that sense it isn't completely clear to me that the general public has had their constitutional rights protected.

There is clearly an ongoing dispute in Hawaii concerning Native vs. non-native rights. In fact, there is endemic broad based discrimination directed against non-"local" persons especially persons from the mainland, the contiguous 48 states, who are labeled as "haoli". Kill Haoli Day is a local ethnic discriminatory tradition that exists in spirit if not in actual practice similar to KKK activities on the mainland. In fact Hawaii is the only place on the planet where Black persons are treated equally as White persons, both of which are subject to racial discrimination and racial violence. Discrimination based upon racial ancestry is illegal under HRS as an additional class of protected individuals.

There is a historical dispute between the ideas promoted by Hawaiian Sovereignty groups and Bishop Estate Kamehameha Schools and the Bishop Museum.

Initially there is a fundamental question in the protection of the civil liberties and rights of the majority of citizens of the State that has not been addressed in any of the public discussions.

I believe that the US Constitution protects citizens from cruel and unusual punishment etc. Since I didn't take anything nor do anything involved with the peaceful handover of the Kingdom of Hawaii to the USA, I certainly shouldn't be harmed in any way by any action to correct any perceived injustices.

Bishop Museum historians indicate that the prior Queen breached the contracts made by with the prior King of Hawaii with a variety of businessmen, taking the assets of a 11 or so businessmen. This handful of businessmen appealed to the USA Government for protection of their assets. This request resulted in the President sending in the Marines. However, by the time the marines came, due to death, there was another Queen on the throne. She, herself, wished to become part of the USA. At that time Hawaii was subject to take over by many other nations. The Queen wished to become part of the USA instead of becoming part of the other Nations through hostile takeover.

Who owned the land the Queen or King or the people of Hawaii. It wasn't the people of Hawaii that owned the land. All land was owned and controlled by the royal family many of whom had intermarried and were children of persons of American decent.

How did the King gain control and ownership of the Land? King Kamehameha gained control of the land through warfare supported by the British Guns, British Gun Boats, and British forces. On Oahu he chased and pushed the indigenous native people off the Pali, the high cliffs. He took their land, women and children as his. On Kauai, he met in a peace conference with his brother or cousin, the Chief or King of Kauai and upon their initial meeting he killed him treacherously. These acts would be illegal today but was era appropriate for persons not governed by today's ideas and laws.

There is strong documentation that the 'overthrow' of the Queen and Kingdom of Hawaii was a peaceful hand over of the lands and assets based upon the will and desire of the Queen. She wanted the protections afforded by the US constitution and the US government for her subjects.

Subsequently there was a popular vote by the citizens of the Territory of Hawaii in the establishment of the State of Hawaii and the Constitution of the State of Hawaii clearly legal by current standards establishing by popular vote and self-determination the current legal framework and current legal status of the State. This legal ratification by the citizens and populace of the territory supercedes any purported lack of self-determination at some earlier date. Even if the prior acts are currently controversial, the subsequent popular vote is and was legal and governs the current status of the State of Hawaii. Even if there were some illegal takeover by today's standards, these actions were era appropriate, certainly more appropriate than the hostile and deceitful actions under the prior Kings and Queens, and was subsequently ratified and replaced through self-determination and public and popular vote.

The establishment of a separate "Nation State" within the State of Hawaii would not be beneficial nor protect the majority of citizens, nor protect the environment etc.

Are killing whales an internationally protected endangered species a native right? Why hasn't these Indian nations signed onto these international treaties. Do Indian nations have the right to sign international treaties? How about the Green Sea Turtle, although protected by most, do we want this endangered species to return as a Hawaiian Food. Hawaiians have generally been very ecologically aware persons but some do hunt green sea turtles and claim this right for food.

Protection of the rights of Americans other than persons of a certain racial or ancestral type is mandated and must be considered equally with protection of persons of other certain racial or ancestral types.

Thank you for your attention to these issues.

Dr. Myron Berney

A handwritten signature in dark ink, consisting of stylized initials 'MB' enclosed within a circular flourish.